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REVISED STATUTES OF KENTUCKY.

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PROCEEDINGS AND DEBATES OF THE CONVENTION.

Called to modify, amend or re-adopt the CONSTITUTION OF KENTUCKY, (OFFICIAL REPORT.)
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OFFICE on the East side of Sixth street, between Market and Jefferson, near the Court House yard. April 11, 1855-11.

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AND LAND SURVEYOR.
Office at Smith, Bradley & Co., Land Agents, 9 Randolph street, South side, between Clark and Dearborn streets, Chicago, Ill.
Sept. 14, 1855-11.

WALL & FINNELL, ATTORNEYS AT LAW.

COVINGTON, KY.
Office, Third Street, Opposite South End City Hall. G. H. P. practice in the Courts of Kenton, Campbell, Grant, Boone, and Nicholas, and the Court of Appeals at Frankfort.
Sept. 14, 1855-11.

JOHN M. HARLAN, ATTORNEY AT LAW.

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FALL AND WINTER CLOTHING AND FURNISHING GOODS.

I am now receiving my stock of FALL AND WINTER CLOTHING AND FURNISHING GOODS, consisting of:
Overcoats, Business Pants, Business Vests, Dress Frocks, Dress Pants, Dress Vests, Business Coats, Half Hose, Shirt Collars, &c., &c.

My entire stock of Clothing was got up by the celebrated establishment of W. T. Jennings & Co., New York, and are WARRANTED to be made in the MOST APPROVED STYLE AND MANNER.
Persons wishing to purchase, and all others, are invited to call and examine my stock.
Sept. 26, 1855. JOHN M. TODD.

YOUNG AMERICA CLOTHING EMPORIUM.

Corner of Main and St. Clair Streets, FRANKFORT, KY.

WEILER & GETZ, HAVING taken the corner room in the new building of Mr. Bacon, opened an entirely new stock of Ready-made Clothing, Furnishing Goods, Hats, Umbrellas, &c.,

which they will sell at prices lower than ever before offered in this market. They invite all to give them a call, and are confident of being able to please both in the quality and price of their goods.
September 12, 1855.

1855. NEW GOODS! 1855. GOOD AND CHEAP.

WE are now receiving and opening an unusually large and elegant stock of Fall and Winter Dry Goods, consisting in part of the following:
Naples and fancy goods, great variety;
Ladies and gentlemen's dress goods, latest and best styles;
Ladies' and gentlemen's Long Shawls.
Richardson's superior Irish Linens all qualities;
Linen Table Damask;
Sheeting and pillow-case Linens;
Table Cloths and Napkins.
EMBROIDERIES AND LACE GOODS, great variety.
LADIES' WEAR.
Fine Cloaks, Talmas, Scarfs, Cashmere and Tibet Shawls, Fine Fur, &c., &c.
Carpetings, Rugs, Mats, and Oil Carpetings, China, Glass, and Queensware.
We have a large stock of goods, and our prices are low. Prices and terms reasonable. Give us a call.
Sept. 14, 1855. HERNDON & SWIGERT.

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THE COMMONWEALTH.

KENTUCKY LEGISLATURE.

IN SENATE.

Monday, Jan. 7, 1856.

Prayer by the Rev. Mr. Norton, of the Episcopal Church.

The Journal of Saturday was read.

MESSAGE FROM THE H. R.

A message was received from the House, announcing that that body had passed the following bills; and asked the concurrence of the Senate, viz:

An act for the benefit of Moses Stratton, of Ballard county.

An act to legalize the proceedings of the February term of 1855 of the Casey county Court.

An act to incorporate North Kentucky Agricultural Society.

An act for the benefit of E. J. Starr, and his adopted daughter Laura.

An act for the benefit of W. B. A. Baker, late Sheriff of Mason county.

An act to incorporate Allen Lodge Masonic Female College.

An act to amend the Law on the subject of changes of venue in civil cases.

An act prohibiting magistrates from taxing at attorney's fees.

An act to amend the 8th section of the 13th chapter of the Revised Statutes.

An act to change the route of the Wilderness Turnpike Road.

An act to legalize the subscription of the Woodford County Court to the Versailles and Munday's Landing Turnpike Road.

An act for the benefit of Joshua Oaks.

An act to charter the Muldrough's Hill and Green River Turnpike Road Company.

An act to confirm the establishment of the Louisville and Nashville Road in Jefferson county, and change the name thereof.

An act to amend an act, to amend and reduce into one, the several acts relating to the town of Princeton.

An act for the benefit of James Taylor, of Hardinsburg.

An act for the benefit of Hiram Keath, of Pulaski county.

An act to amend an act entitled, an act to improve the road from Hall's Gap to Somerset.

An act to legitimize the illegitimate children of Samuel B. Haddix.

An act to repeal an act incorporating the town of Jackson.

The above bills were referred to appropriate committees, except an act to legalize the subscription of the Woodford County Court to the Versailles and Munday's Landing Turnpike road, which was passed.

REPORTS.

The SPEAKER laid before the Senate the Report of the Keeper of the Penitentiary; also the Report of the Secretary of State, which were ordered to be printed for the use of the Senate.

PETITIONS.

Petitions were presented by Messrs. SILVER, TOTH and WRIGHT, and appropriately referred.

REPORTS FROM STANDING COMMITTEES.

Mr. SMITH—Court of Appeals—A bill to repeal so much of the Code of Practice, as regards proceedings in ordinary to be sworn to, with the opinion that it ought not to pass.

On motion of Mr. SUDUTH, the bill was recommended to the committee on the Court of Appeals.

REPORTS FROM SELECT COMMITTEES.

Mr. GILLIS—A bill for the benefit of Wm. B. White: passed.

Mr. SILVERTOOTH—A bill for the benefit of R. C. Wintersmith: passed.

RESOLUTION.

Mr. D. HOWARD SMITH moved the following resolution which was adopted:

Resolved, That the committee on Banks be instructed to report a bill prohibiting the issuing and circulation of bank notes of a less denomination than five dollars, in accordance with the recommendation of the Governor's Message.

The resolution from the House, requesting the Governor to order a salute to be fired on the 8th of January and 22d of February, was taken up by the Senate and concurred in.

LEAVE TO BRING IN BILLS.

Leave was given to bring in the following Bills, which were appropriately referred.

Mr. KOHLHASS—A bill concerning the public highways in this Commonwealth.

Mr. BLAIN—A bill to legalize the proceedings of the October term of the Garrard County Court for 1855.

Same—A bill to amend the charter of the Danville, Dix River and Lancaster Turnpike Road Company.

Mr. HARDIN—A bill to repeal the 75th section of the Civil Code of Practice, abolishing the writ of *monstrans*, as a remedy in civil actions, and to restore said writ.

Mr. WILLIAMS—A bill to amend the charter of Foster's Turnpike Road Company.

Mr. WRIGHT—A bill for the benefit of Constables of the Commonwealth.

Same—A bill to incorporate the people's Bank of Kentucky, at Bowlinggreen, Kentucky.

Mr. DECOURY—A bill to incorporate the Stony Hill Turnpike Road Company, of Campbell county.

Mr. BUCKNER—A bill to extend the time for perfecting head-right claims to land.

Mr. EDWARDS—A bill for the benefit of John McLean and Jesse Rankin, Trustees of the United States called Shakers, at South Union, in Logan county, Kentucky.

Same—A bill to incorporate Logan Lodge, No. 73, of the I. O. O. F., at Russellville, Kentucky.

Same—A bill authorizing the County Court of Logan county, to rent or sell the old clerk's offices in said county, upon the completion of the new clerk's offices for said county.

Mr. RIPLEY—A bill to amend the law, in relation to negotiable notes.

And then the Senate adjourned until 10 o'clock Wednesday morning.

HOUSE OF REPRESENTATIVES.

Monday, January 7, 1856.

Prayer by the Rev. J. M. Lancaster, of the Catholic Church.

The Journal of Saturday was read by the Clerk.

PETITIONS.

Were presented by Messrs. BEAUCHAMP, WOODS, C. DUNCAN, and ROGERS, and appropriately referred.

LEAVE TO BRING IN BILLS.

Leave was granted to bring in the following bills, which were appropriately referred, viz:

Mr. HAWKINS—A bill for the benefit of School District, No. 30, in Bath county.

Mr. LEE, of Boyle—A bill to incorporate Columbia College.

Mr. BRADFORD—A bill to amend the charter of the city of Augusta.

Same—A bill for the benefit of Wm. Marshall, of Bracken county.

Same—A bill to incorporate the First Presbyterian Church in the city of Augusta.

Mr. COOK, of Caldwell—A bill to incorporate the Princeton and Edgelyville Turnpike Road Company.

Same—A bill to authorize the Lyon County Court to establish an additional Justice's District in said county.

Mr. IRVAN—A bill to amend the Code of Practice as to give Circuit Courts, by presentment of a grand jury, jurisdiction over roads and public highways.

Mr. MOFFAT—A bill to empower County Courts to regulate and change voting places in their respective counties.

Mr. TURNER—A bill better to protect the rights of married women in certain cases.

Same—A bill for the benefit of the railroad tax payers in Clarke county.

Same—A bill for the better protection and management of the State Library.

Mr. GARRARD—A bill to incorporate the Park and Cumberland Gap Railroad Company.

Mr. LONG—A bill to change the time of the meeting of the General Assembly.

Same—A bill for the benefit of Vincent Taylor, of Cumberland county.

Mr. CLEMENT—A bill to change the time of holding the Crittenden Quarterly Courts.

Mr. RICE—A bill to amend chapter 47 of the Revised Statutes.

Mr. GRAHAM—A bill to empower Justices of the Peace to take acknowledgment of deeds.

Mr. AUXIER—A bill to declare that portion of Licking river in Floyd and Johnson counties, navigable.

Same—A bill to reduce the price of land warrants in Johnson county.

Mr. HEWITT—A bill for the benefit of Col. R. T. Allen, late superintendent of the Kentucky Military Institute.

Same—A bill for the benefit of George W. Kouns.

Mr. VAUGHN—A bill to amend section 13, article 17, of chapter 28, of Revised Statutes.

Mr. ENGLISH—A bill to amend the charter of the Louisville Turnpike Road Company.

Mr. HELM—A bill to add those counties that have subscribed stock in railroads, and in aid of internal improvement and common school purposes.

Same—A bill requiring the sale of slaves to be recorded.

Mr. CULTON—A bill to take the sense of the citizens of Knox county upon removing the county seat of said county.

Mr. NUTTALL—A bill to enable Jos. Yeager, of Trimble county, to prosecute a writ of error from the United States District Court for the State of Indiana, in the case of Yeager vs. Rowe, to the Supreme Court of the United States.

Same—A bill for the benefit of sheriffs and clerks of this Commonwealth.

Mr. MORROW—A bill to incorporate Oriental Lodge, No. 19, I. O. O. F., in Madisonville, Hopkins county.

Mr. FOSS—A bill for the benefit of parents, guardians, students, &c., at schools, colleges, universities, and military institutes.

Mr. McCAMPBELL—A bill to authorize the Jessamine County Court to purchase twenty-five bonds of the Lexington and Danville Railroad.

Mr. MENZIES—A bill to provide for copying the deed books of Kenton county.

Same—A bill to amend the charter of the Southern Bank of Kentucky.

Mr. RICHARDSON—A bill to enlarge the jurisdiction of the Magistrates in District No. 3, in Kenton county.

Same—A bill to establish a system of Police regulations in certain portions of Kenton county.

Same—A bill to provide for the re-organization of Transylvania University.

Mr. CECIL—A bill to regulate the salaries of County Judges.

Same—A bill to regulate the salaries of Commonwealth attorneys.

Mr. MONTGOMERY—A bill for the benefit of H. W. Faris and Ambrose Buford, of Lincoln county.

Same—A bill in relation to retailing spirituous liquors.

Mr. BOWLING—A bill to increase the jurisdiction of Magistrates in this Commonwealth, and to require them to execute bond, &c.

Mr. MILLER—A bill to incorporate the Richmond and Big Hill Turnpike Road Company, in Madison county.

Mr. BROWN, of Meade—A bill better to regulate the standard weights of certain products in this Commonwealth.

Mr. RICKETTS—A bill to reduce the number of jurors in Quarterly Courts, Police Courts, and Justices Courts, and to provide for their compensation.

Same—A bill for the benefit of Isaac Miller, late sheriff of Muhlenburg county.

Same—A bill to authorize the Muhlenburg County Court to re-divide said county, and to create an additional constable's district.

Mr. DUNCAN, of Nelson—A bill to amend the charter of the town of Bardonia.

Mr. DUGAN—A bill to amend an act incorporating the town of Falmouth, in Pendleton county.

Mr. McCREERY—A bill to amend the act incorporating the Kentucky State Medical Society.

Mr. MILLER—A bill to incorporate the Springfield Union Agricultural and Mechanical Association.

Mr. VANWINKLE—A bill for the benefit of Hays Buster, of Wayne county, and Z. Rosenfelter, of Pulaski county.

Same—A bill to change the law fixing the number of children in school districts, and fixing the ages of the same.

Mr. GOODLOE—A bill for the benefit of Robt. T. Pepper, of Woodford county.

Same—A bill to amend the charter of the No. 25, I. O. O. F., in Versailles.

Mr. BODLEY—A bill reserving the power to amend or repeal charters hereafter granted.

Same—A bill to amend the charter of the Protestant Episcopal Orphans' Asylum, of Louisville.

Same—A bill to authorize the Louisville and Frankfort Railroad Company to fund their debt.

Same—A bill to amend the charter of the Louisville and Frankfort Railroad Company.

Mr. WINN—A bill to amend chapter 27, of the Revised Statutes.

ON MOTION.

The report of the Keeper of the Penitentiary was referred to the committee on Penitentiary.

MESSAGE FROM THE SENATE.

A message was received from the Senate, announcing that they had passed a bill and resolution from the House of Representatives, of the following title, viz:

An act for the benefit of Elizabeth Rucker.

A resolution in relation to firing a national salute on the 8th of January and 23d of February.

That they had passed sundry bills which originated in that house; which were placed in the order of the day.

RESOLUTIONS.

Mr. MENZIES offered the following resolution, which was rejected, viz:

Resolved, That the select committee of thirteen, to divide the State into thirteen judicial districts, be hereby instructed to report a bill simply making the 13th District, without attempting to arrange the number of judicial days for the several counties, or the times for the commencement of terms.

Mr. McELROY offered the following resolutions, which were adopted, viz:

Resolved by the House of Representatives, That it shall be one of the rules of this House, during the balance of the present session, that on each Saturday it shall be the duty of the Speaker to cause a call of the counties, in order to give the members an opportunity to obtain leave to bring in bills, introduce resolutions, reports from select committees, &c.

Resolved, That a resolution heretofore passed, requiring a call of the counties every Monday, for the purpose, be rescinded.

ORDERS OF THE DAY.

A Senate bill, to incorporate the Hopkins Madison Coal and Iron Mining Company, was taken up and passed.

The remainder of the Senate bills upon the Clerk's table were then taken up and referred to appropriate committees.

And then the House adjourned until Wednesday morning.

PURGATORY.—A gentleman, who seems to be a sincere inquirer after truth, addresses to us by letter several questions as to the Roman Catholic purgatory. He wishes to know how long a time, according to the Roman Catholic teachings, is absolutely necessary for getting out of purgatory a poor sinner that is burning there. That we take it, depends upon the amount of money that his relatives and friends are willing to pay for his extrication. If they were to pay not more than five dollars at a time for him, he would have to stay in a very long while. If they were to pay a hundred, he would get out in a great deal sooner. If they should fork over a thousand, he would come so quick out of the fire into the cool air that he would be very likely to take a bad cold.—*Low Jour.*

The Indiana Liquor Law.

Correspondence of the Cincinnati Daily Gazette. LAWRENCEBURG, Ia., Dec. 26th, 1855.

The Temperance law passed at the last session of the General Assembly of Indiana, has been virtually nullified by the Supreme Court. The Supreme Court of our State consists of four Judges, and by the provisions of our statutes, whenever the Judges are equally divided in opinion, the judgment of the Court below stands affirmed.

At the present term the Judges of the Supreme Court have given opinions in cases before the Court on the main questions involved in the Prohibitory Liquor Law. Judges Perkins and Davidson declare the whole law void; Judges Gookins sustains the entire act, and Judge Stuart sustains the sections of the law which prohibit retailing intoxicating liquors, but pronounces the sections prohibiting the manufacture and appointing county agents for the sale, unconstitutional and void.

Three of the Judges concurring in opinion as to the unconstitutionality of the sections of the act appointing county agents, and prohibiting the manufacture, these parts of the law, of course, are made void. But on the question of the power of the Legislature to prohibit retailing, the Judges are equally divided, and consequently that provision remains as though it had not been passed upon.

The effect of these opinions, is, (as far as the Supreme Court is concerned,) to leave the retailing clause to the decision of the inferior Courts; for whichever way they may decide, the Supreme Court cannot, as it now stands, reverse their decisions. It is known that some of the inferior Courts hold the law to be constitutional, while many of them will declare the whole law void. One Court may fine a person for selling intoxicating liquors, and another Court acquit for the same offense; and these cases should they go to the Supreme Court, must be affirmed!

But the most effectual means taken to cripple the law is by the writ of *habeas corpus*. The Statute of Indiana provides that writs of *habeas corpus* may be granted by the Supreme Court, or by any Judge thereof, either in term time or in vacation; and these writs, when issued by the Supreme Court, or any Judge of that Court, run throughout the entire State. In case of imprisonment for non-payment of a fine assessed for illegal selling intoxicating liquors, should a writ of *habeas corpus* be issued from the Supreme Court, the prisoner would be discharged from the Court, being equally divided in opinion on that branch of the law; yet one of the same Judges may issue the writ and discharge him! In fact, one of the Judges may do what the whole Court cannot! And as the prisoner has the right to sue out the writ before the Court, or any Judge, of course he will choose the tribunal whose opinion he knows to be favorable.

An instance of this occurred here a few days ago. Two Germans, notorious traffickers in intoxicating drinks, were arrested and fined by the Mayor of this city, in several cases each, for illegal selling. They refused to pay the fines, and were committed to jail. On Friday last, Judge Perkins (the Supreme Court being in session) ordered the men brought before him, at his Chamber, in Indianapolis, on a writ of *habeas corpus*, and forthwith discharged them! In the language of Judge Perkins himself, in a recent case, "Judge-made law has over-ruled the Legislative department;" and the Judge himself has become a striking example of the principle he before condemned.

The Temperance Law prohibited the sale of all intoxicating drinks, except for medicinal, mechanical, and sacramental uses, and the sale for such uses to licensed county agents. The section requiring the sale for such purposes to be made by county agents only, having been annulled, it follows that every person has a right to sell for such uses. And the door being thus opened for the sale of spirituous liquors by all persons, for such uses, it is easy to foresee that the chance of detection in cases of illegal sale is very small. The operation of the Ohio Liquor Law is a forcible illustration of this.

With the right to manufacture and keep liquors at pleasure, and to sell the same for specified uses, with a knowledge that in case of conviction and imprisonment, the offender will be discharged from imprisonment, it may well be said that the Temperance Law of our State is virtually repealed, and that "Judge-made law has over-ruled the Legislative Department."

It is true that the Judge, in discharging the offender from imprisonment, cannot discharge the fine, which may be collected as ordinary judgment. But when it is recollected that in Indiana, debtors have property to the amount of three hundred dollars exempt from sale on execution, and that the only stock in trade is liable to start a respectable dogberry in a barrel of whiskey, that right cannot be regarded as very valuable.

POSITION OF HON. J. SCOTT HARRISON IN REGARD TO MR. BANKS.—The Washington correspondent of the Cincinnati Times, says: Col. Schouler, of the Gazette, has, without reason or authority, placed Hon. John Scott Harrison in a false position. Mr. Harrison expressly and plainly denies that he gave Mr. Schouler any authority to state that his (Harrison's) principal reason for opposing Mr. Banks was the course of that gentleman on the Nebraska bill. Mr. Harrison told me yesterday, in the presence of several gentlemen, that he opposed Mr. Banks mainly because he was a traitor to the American party, and refused to endorse and defend its principles. Mr. H. Harrison was established and dignified at the statement made by Mr. Schouler, and will take occasion at an early date, to define his objections to Mr. Banks, so that they cannot be mistaken. As a member of the American Order, Mr. H. could not vote for Banks, without falsifying himself before his best friends.

SPIRITUALISM DETECTED.—The N. Y. Tribune of Friday says: "A case in which yesterday afternoon in the room where the Davenport family have been wont to give their so-called spirit manifestations—consisting of musical instruments being played upon and moved about in a dark room, &c., which was by no means down in the room. It seems that Councilman Kerrigan, together with his 'staff,' have for some time been attending the exhibitions of these mediums, to satisfy themselves whether they were the real thing to the right origin. On this occasion, the councilman, soon after entering the room, got in a creeping posture, and quietly worked his way among the mediums, when he suddenly caught hold of one who was playing a tamborine, and then being hit upon the head, and willing to 'take a hand' in anything of that kind, replied by a blow, and then returned to the audience. 'The instrument was then thrown away, and came in contact with an old gentleman. Kerrigan threw the instrument back again, which hit the medium, who asked if it was the work of the spirits. He replied, no; the instrument was thrown at him, and he threw it back again. Quiet being restored, the performance went on as before, when the Councilman brought a dark lantern, which he had with him, in requisition, revealing the medium playing on various instruments. The audience sprang to their feet amid much laughter, cheers and confusion. The celebrated Razor Stop Man walked up and down the room, saying he was more pleased than if he had received five hundred dollars. It was a humbug, and he had been deceived by it two years. Councilman K. then ordered his 'staff' to arrest the parties known as the Davenport family, when they were taken before Justice Brennan, of the Essex Market Police Court, and after disgoring the amount that had been paid them by the Councilman and his 'staff,' they were discharged."

A FIVE HUNDRED DOLLAR BIBLE.—Among the many costly and beautiful works of art offered for sale in Philadelphia during the holiday week, was a Bible valued at \$500. The paper, printing, binding, and, in fact, the whole finish of the book, is believed, exceeds that of any other in the world. The ornaments are solid gold, and very heavy.—*Low Jour.*

Notions! Notions!

I HAVE a splendid notion, a very thing usually kept in the above line, and they are "too numerous to mention" I would respectfully invite the public to call and examine them.

W. M. TODD.

1856. ASSEMBLY BALLS.

THE ASSEMBLY BALL CLUB respectfully announces their series of balls for the coming season, at the Assembly Room, CAPITAL HOTEL, to take place as follows:

January 9. February 6.
January 23. February 20.
EDMUND H. TAYLOR, President.

VICE PRESIDENTS.

Hon. C. S. Morehead, P. Swiger,
D. T. Burnley, T. D. Carneal,
A. C. Keenon, R. H. Hickey,
R. P. Leicher, H. Evans, Treasurer,
O. Brown, R. B. Taylor, Secretary.

FLOOR COMMITTEE.

A. P. Churchill, G. A. Bacon,
R. W. Blackburn, E. H. Gandy,
R. H. King, Ed. Henley,
J. L. Hampton, G. C. Gratz,
Ed. A. Schell, J. H. Hickey,
Ed. Keenon, G. B. Macklin.

COMMITTEE OF ARRANGEMENT.

A. McKinley, H. C. Hawkins,
H. L. Todd, G. Leonard,
Zeb Ward, Jno. S. Harris,
T. L. Crittenden, G. W. Monroe.

COMMITTEE OF INVITATION.

R. C. Wintersmith, E. Watson,
A. M. Blanton, L. J. Harvie,
J. C. Hensley, G. S. Bacon.

Members can obtain their tickets from H. Evans, Treasurer.

Dec. 21, 1855.

ADAMS EXPRESS COMPANY.

The office of this Company has been removed to Plankton's Drug Store on Main Street, in Hanna's New Building.

FRANKFORT, KY.

Our Messengers and Express freight will leave Frankfort for Louisville at 10 minutes before 8 A. M.; and for Lexington at 10 minutes before 8 P. M.

Packages received here from Louisville at 5 o'clock P. M., and from Lexington and East of that point at 7 o'clock A. M.

ADAMS EXPRESS CO.

G. W. OWEN, Agent, at Frankfort.

Dec. 26, 1855—by.

NEW TAILORING ESTABLISHMENT.

LITHGOW & HUTCHESON.

WE would respectfully inform the citizens of Frankfort and vicinity, that we have opened a shop two doors from the Wooden Bridge, and next door to B. & J. Lithgow & Hutcheson, where we are prepared to do all kinds of work intrusted to our care; all we ask is a fair trial, and we know you will not go away disappointed.

Dec. 5, 1855—by.

A VALUABLE FARM FOR SALE.

I WILL sell my farm on which I reside in Franklin county, containing 4.54 ACRES; four miles from Frankfort, on the old H. & R. road.

I intend removing to Texas, and will sell upon fair terms as to price at time to any person calling on me within a few weeks.

The land is well improved, finely timbered and watered, and lies well to any kind of stock raising.

Purchasers will find it to their advantage to call on me early.

Dec. 24, 1855—by.

THOS. F. BLAKEMORE.

HOUSES AND LOTS FOR SALE.

I AM authorized to sell the two frame houses and lots belonging to the Louisville and Frankfort Railroad Company, on Broadway, between Washington and Terminal streets, in this city; and also the large vacant lot near the "Vine Bridge," belonging to the same company. Terms liberal.

Nov. 21, 1855—by.

H. R. MILLER.

Copper, Tin and Sheet Iron Manufacturing.

WE have in our establishment, a large and complete stock of all the various branches. We will also keep on hand the best HEATING AND COOKING STOVES in the Western country. All kinds of job work executed with neatness and dispatch, and in a durable manner; all work done by him warranted to give satisfaction or no pay required. We pledge ourselves to work on good terms as any house in the city, and hope by prompt attention to business to receive a fair share of the public patronage.

Metallic Roofing, Cuting, Spouting, &c.

Done in the best and most workmanlike manner and on reasonable terms.

COMMONWEALTH.

W. L. CALLENDER, Editor.

TUESDAY, JAN. 8, 1856.

Single copies of the Daily Commonwealth, put up in wrappers, will be furnished to the members of the General Assembly at Two CENTS per copy.

Single copies of the Weekly Commonwealth, containing a synopsis of each week's proceedings, will be furnished to the members of the General Assembly at Four CENTS per copy.

AMERICAN PARTY.

OFFICE OF THE EXECUTIVE COMMITTEE, FRANKFORT, DEC. 15, 1855.

The Subordinate Councils are hereby notified that the State Grand Council will hold its next session in the city of Frankfort, on the fourth Wednesday in January, 1856, at which time delegates to the National Grand Council and the National Convention will be elected.

P. SWIGERT, Chairman Ex. Com.

We are requested to state that the Governor's house will be opened for the reception of company on Monday evening next, from 8 until 11 o'clock; and on every Monday evening during the session of the Legislature, during the same hours.

Archbishop Kenrick, Mr. Brownson, and the Maysville Express.

The editor of the Maysville Express charged us with *rehashing a stereotype slander*, when we alleged that Brownson, under the endorsement of the Catholic Bishops of the country, had claimed for the Pope of Rome civil supremacy—the right to decide whether a civil government is fit to be obeyed or not, and the right and power of releasing the conscience of the citizen from the obligation of allegiance to his prince or country. By the quotations which we made yesterday, we did enough, perhaps, not only to vindicate the truth of our allegation, but to expose the deception of the Archbishop's attempt to explain away the prelatial endorsement of Brownson and his Review. But we are not done with any of these personages yet. We intend to leave no ground for mistake as to their positions or our own. We intend to thrust the charge of "calumny" down our accuser's own throat, and leave him no escape from the guilt of wilful slander, but an escape behind the most shameful ignorance. We intend, by further and more emphatic quotations, to show what Brownson did teach, and that his teachings had the sanction of the Catholic Bishop of Boston before they were published, and the endorsement and approbation of the whole bench of Bishops and Archbishops, and even of the Pope himself, afterwards. We intend to expose, still further than we have already exposed, the Jesuitical deception of Archbishop Kenrick in his attempt to deny or explain away the endorsement of Brownson which he himself penned, and himself and twenty-four other Bishops and Archbishops signed; and to hold up to public contempt the unscrupulous partisan, who, for the sake of party advantage, joins in this deception, denies facts as incontestable as truth itself, and utters and defends doctrines as incompatible with civil liberty as darkness with light.

First, let us give a few more examples of Brownson's teachings:

"We do not advocate—far from it—the notion that the church must administer the civil government; what we advocate is her supremacy as the teacher and guardian of the law of God—as the supreme court, which must be recognized and submitted to as such by the State, and whose decisions cannot be disregarded, whose prerogatives cannot be abridged or usurped by any power on earth, without rebellion against the Divine Majesty, and robbery of his rights. As Christians, we must insist on this supremacy; as Catholics, it is not only our duty, but our glorious privilege, to assert it, and to understand and practice our religion as God himself, through his own chosen organ, promulgates and expounds it."

The above is from Brownson's article upon "Authority and Liberty," published in April, 1849—just one month before the bench of Catholic Bishops and Archbishops endorsed him as an able and intrepid advocate of the Catholic faith.

The same doctrine is more distinctly set forth by Mr. Brownson in the following passage in an article in his Review for January, 1853:

"We only ask our readers to bear in mind, that the church is not herself the civil authority, and that, though she possesses the temporal authority in *radio*, she ordinarily governs the temporal sovereignty. She bears by *divine right* the sword, but she exercises the temporal sword by the hand of the prince or magistrate. The temporal sovereign holds it subject to her order, to be exercised in her service, under her direction. This is the normal order, and it is only an unnatural fear of offending, or an undue desire to please secular governments, that has ever led any intelligent Christian to concede the contrary. That the church has been able to exercise her rightful supremacy, or that secular governments have in general shown themselves to be her obedient children, we are far from pretending; but we owe it to her and to them to assert her rights and their duties, and perhaps in doing so we may aid in preparing a better future, and do something to enable her to check the reign of political atheism, and to save society, now threatened at once by both despotism and anarchy, from utter dissolution."

Again in January, 1854, Mr. Brownson declares:

"We believe, we have been forced to believe, after the fullest investigation we have been able to make of the subject, the *direct temporal authority of the Pope as Vicar of Jesus Christ on earth*. We do not put this forth as Catholic dogma, nor have we ever insisted upon it in our pages, but we do believe Catholic dogma requires us to assert, at least, the indirect power contended for by Bellarmine and Suarez, unless we would forego our logic."

This "indirect power" we understand to be that spoken of in the preceding extract, where it is said the temporal sovereign yields the sword of temporal power subject to the order of the church, in her service, and under her direction.

And now to exhibit Mr. Brownson's views of the power of the Pope in temporal affairs, in their mildest aspect, we beg to present an extract from a letter written by him in June last to HENRY J. DAVIS, Esq., of Warrenton, North Carolina—a letter written to be used on the stump by anti-American orators; and presenting, of course, the mildest possible view of the doctrine he advocates. Hear him:

"The church, following the Holy Scriptures, makes civil allegiance a religious duty, and says with Saint Paul, Romans xiii, 1-2, 'Let every soul be subject to the higher powers, for there is no power but from God. Therefore he that resisteth the power resisteth the ordinance of God, and they that resist, purchase damnation to themselves.' Here you see I am forbidden by the

law of God to resist the power, and commanded, on peril of damnation, to obey. Here is my conscience bound to obedience, and my conscience as a Catholic can release only by a declaration of my church, as the divinely appointed director of conscience, that the prince of tyranny and oppression has forfeited his right, fallen from his dignity, and ceased to reign. What I claim for the Pope, as visible head of the church, is the power to release my conscience from this religious bond, and to place me at liberty to resist the prince become a tyrant. This is all I understand by the depositing power.

"The Pope is the proper authority to decide for me whether the Constitution of this country is or is not repugnant to the laws of God."

We have no room to stop here for comment. Nor is any comment needed. The reader who does not see in these naked declarations the claim of a power for the church that is dangerous to the State, would hardly see it by aid of any commentary we could make.

Let us now see how far the Catholic church is responsible for Mr. Brownson's teachings. We need not repeat the Bishops' endorsement which we copied yesterday, and which was given after, and not before, Mr. Brownson had asserted and insisted, with great earnestness and power of language, that the church was the supreme ruling and judging power to which all governments are subject, and to which they must conform. But we have further evidence than this of the responsibility of the church for Mr. Brownson's teachings. In his April No. for 1853, he said:

"We have no right to publish a single word on religious and ecclesiastical matters without the permission of our ordinary, and even with that permission we should never publish anything without the supervision of one who has authority to teach."

The "ordinary" is the Bishop of the diocese in which he lives—viz: The Bishop of Boston; and here is distinct evidence that all his articles undergo the supervision of a Catholic Bishop or other clergy, before they are published.

In January, 1854, he defends the doctrines he has taught, and says: "These were the principles prescribed for our guidance when we commenced this Review as a Catholic Review." In October of the same year, speaking of his position as editor of the Review, he says:

"We felt our incompetency, but we felt that we had been placed by LEGITIMATE AUTHORITY in the position we held, and we looked for help to the source from which real help ever comes.—The Bishop of Boston and his clergy treated us with great indulgence, and took unceasing pains to instruct us, and to aid us to think and speak as Catholics, and we got on perhaps as well as could have been reasonably expected."

He then refers to the commendation of the Bishops and Archbishops which we have already published, of which Archbishop Kenrick falsified the date, and attempts to explain away the meaning; but of which Mr. Brownson declares, "As yet no Bishop in the country has signified to us the withdrawal of the approbation heretofore given."

But Mr. Brownson has not only the sanction of Catholic Bishops, but the sanction of the Pope himself. In December, 1853, Mr. Brownson tells us that he sent a set of the volumes of his Review to the Pope, by the hand of the Bishop of Boston. The "Holy Father" returned the following letter:

"Beloved sons, health and apostolic benediction. Our venerable brother John, Bishop of Boston, brought to us your letter of the 29th of last December, in which you offered us several works written by you. He spoke to us with much praise of those same books of yours, and therefore we are in a greater degree rejoiced and consoled by your sentiment of truly filial devotion, obedience, and piety towards us, and this Holy See, which your letter expresses throughout. With our suppliant vows and prayers we beseech God of Mercy and Father of lights that with his celestial protection he may cherish and guard these sentiments, which we trust you will always preserve. And as a token of our so great benediction, and as a pledge of our gratitude to you for the service you have done us, we add our apostolic benediction; which we lovingly impart, with the poured forth affections of our paternal heart, to you yourself, beloved son, and to your whole family."

"Given at St. Peter's at Rome, on the 20th day of April, in the year of our Lord 1854, and the eighth year of our Pontificate."

(Signed.) PIUS IX. Pope."

"This is indeed" says Mr. Brownson, "no formal approbation of our Review, and no such approbation was deserved or expected; but it is more than a simple acknowledgment of the reception of the volumes and accompanying letter."

And now, having occupied as much space as we can now well spare for this subject, we defer the further discussion of it to another day.

IRISH GUARDS AT THE PRESIDENT'S LEVEE.—The Washington correspondent of the Cincinnati Times has the following in his description of the President's Levee, on New Year's day:

"At twelve o'clock, the doors were thrown open to everybody. Ladies and gentlemen, young and old, pressed forward in a long procession through the main ante-room to a small parlor adjoining the large 'East Room.' What attracted the astonishment of many and the indignation of a few, was the circumstance that the procession was obliged to pass through two lines of guards or police, *mostly Irish*, between the outside door and the ante-room entrance. Several of these fellows had the most strongly marked and repulsive Hibernian countenances I ever beheld, and each one wore that ungainly, awkward air, common to an exalted foot-carrier in good clothes. Each of these guards wore upon his breast a large silver eagle as a badge of authority. Under the circumstances, an attendant or two was necessary to prevent collision, but the character and number of the police paraded yesterday was an insult to every American citizen. It was absolutely humiliating to walk through the two lines of Hibernians into the ante-room! There was an expression of malicious triumph on each of those countenances which did not escape remark."

To-day the State Democratic anti-American Sag Nicht Convention assembled in the Hall of the House of Representatives. Both Houses yesterday adjourned until to-morrow to give the members who belong to the party a fair chance to mingle with their political brethren as well as to yield the hall of the House as a place of meeting.

AND NO SPEAKER YET.—There was no speaker elected yesterday at Washington. The same dead-lock of affairs seems to hold fast still.

FOREIGN NEWS.—We are indebted to the polite Operator of the House Line for the foreign news which we publish this morning. It gives some hope of peace; and a gentleman who came up from Louisville last night informed us that the understanding there was that peace had actually been concluded; but we see nothing in the news we have received to justify any such conclusion.

STABBING AFRICAN.—Saturday night a negro boy, in the employ of belonging to Wm. C. Davis, was dangerously if not fatally stabbed by another negro boy, in an alley in the alley between Fourth and Fifth and Jefferson and Market streets. The rascal who committed the deed escaped. He is the property of Col. Caldwell.—*Lou. Cour.*

Congressional.

WASHINGTON, Jan. 4.

HOUSE.—Mr. Boyce made a personal explanation. He thought, and has frequently expressed the opinion, that circumstances are at work which are almost irresistibly hurrying us to destruction.

With the most profound regret he saw a great party formed in the North, based on the single idea of hostility to the institutions of the South, which party holds that freedom is national and slavery sectional. The Constitution recognized slavery, conciliation and compromise; but if that party shall obtain possession of the government, he thought division would be the result. He did not desire this. God forbid.

Mr. Allison replied and said he had no disposition to war with slavery where it already existed, but was opposed to a further extension.

The House then proceeded to vote for Speaker, when the ninety-first ballot resulted as follows: Banks 104; Fuller 34; Pennington 73; Pennington 6; Porter, Orr and Williams each 1. Necessary for a choice 111.

Mr. Dunn appealed to the Massachusetts men to surrender their personal preferences, which stand in the way of electing the great end, and unite on Mr. Lettier, whom he eulogized as eminently fitted for the Speakership.

Mr. Knowlton replied that it was not Massachusetts alone asking for the election of Mr. Banks, but the great spirit of Freedom had laid his hands upon him. He said Mr. Dunn and a few other gentlemen elected on the anti-Nebraska issue, could, if they would, relieve the House from its entanglement.

Jones, of Tenn., and Houston regarded Mr. Dunn's resolution declaring Mr. Lettier, as nothing more than a nomination, and deemed the right of members to nominate, and required them to vote thereon.

The resolution was then laid on the table—yeas 104, nays 30.

Mr. Underwood offered a resolution which must, he said, result necessarily in an election; that the first gentleman named on the list of members be put in nomination, and failing to receive a majority of a quorum the rest to be voted for, and so on till an election is effected. This was tabled.

The House then proceeded to the 92d ballot, which resulted precisely as the last, viz: Banks 104; Richardson 73; Fuller 34; Pennington 6; Porter, Orr and Williams, one each.

The House then adjourned.

WASHINGTON, Jan. 5.

THE SENATE is not in session.

HOUSE.—Mr. Etheridge said, that the act of the House demonstrated two propositions: First, that the gentlemen voted for have enthusiastic friends; and secondly, that if either is elected he will not decline the honor of the chair. He did not believe that any successful candidate would so conduct himself as to occasion just reprehension of his official conduct. In the present condition of the public mind, and in the present condition of the country, it would be injurious to the country to elect a Speaker one who is the embodiment of extreme sentiments of either section; and he proposed, as a compromise, Mr. Millson, of Virginia, who was opposed to the alien suffrage feature in the Nebraska bill; and voted against its passage, and was not in the Democratic caucus which nominated Richardson. He appealed to moderate and conservative men to assist him in putting an end to this strife.

Mr. Broom could not agree with Mr. Etheridge, to descend from their exalted position and pursue the course suggested. Let all who were elected on the paramount issue of Americanism, come together and agree upon a candidate, or let the House adopt the resolution he would offer, namely: That the friends and supporters of the present candidate, for Speakership, be requested to withdraw their names from the further action of the House, and that the members representing the different parties in the House meet each party appointing a committee of five, with a view to selecting a compromise candidate for Speaker.

Mr. Millson expressed surprise at the announcement of his name in that connection, and requested Mr. Etheridge to withdraw the nomination.

Mr. Stephens opposed Mr. Broom's resolution as wholly impracticable.

Mr. Etheridge finally withdrew his motion. A long debate on the merits of the several parties, particularly Americanism, was had, and Mr. Broom's resolution was then laid on the table.

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Convention of Agriculturalists.

The subjoined circular has been sent to prominent farmers in all parts of the State; and we trust it will meet with such a response as will insure a large convention, and the ultimate attainment of the important object proposed:

LEXINGTON, KENTUCKY, January 5th, 1856.

DEAR SIR:—The suffering condition of a great and common cause must be our apology for addressing you on this present occasion.

We are Brother Agriculturalists, and rely upon our profession for personal respectability and for pecuniary profit. We have a common country, whose prosperity or decline is but the measure of our own. Our contemporaries of this spiritual and enlightened age, are making giant strides in every department of agricultural improvement, and we too must bring to our assistance every aid of industry, intelligence, and enterprise, or sink ignominiously in the rear.

The agriculture of other States has experienced, in the few years, the most genial impulses and most powerful State organizations, the funds of which are supplied, chiefly or in part, from the public treasuries of those States. But in Kentucky, the oldest Western State, the Farmer and Mechanic have been left to their own individual exertions, aided, in some cases, by small and local associations only. To relieve ourselves from this disadvantage, and to place us on equal ground in the field of improvement, is at present our aim.

For this object, replete with personal advantage and with comprehensive patriotism, we invoke your aid. We ask your co-operation by your pen and your tongue, and by your high character and extensive popularity. Especially we invite and desire you to meet with us, in Frankfort, on the third Wednesday in this month—being the 16th—when, by our united counsel, we will present to the Legislature the form of a charter for a State Society, which shall dispense the bounty of the State with blessings to all, and without partiality to any.

We trust that nothing but the most imperative necessity will prevent your assembling with a very large number of your Agricultural Brethren of Kentucky, on the occasion proposed.

R. W. SCOTT, of Franklin, J. G. KINNAIRD, of Fayette, GARRETT DAVIS, of Bourbon, W. R. DUNCAN, of Clarke, R. A. ALEXANDER, of Woodford, Committee.

WASHINGTON, Jan. 5.

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CONDITION OF THE FARMER'S BANK OF KY., and Branches, DECEMBER 31, 1855.

ASSETS.	LIABILITIES.
Notes discounted, \$ 897,750 26	Capital stock, \$1,405,000 00
Bills of Exchange, 2,351,154 57	Reserve fund, 2,149,000 00
Suspended debt, 55,847 04	Due to Banks, 104,227 33
Due from Banks, 43,204,500 87	Due to individual depositors, 425,501 34
Real estate—banking houses, 55,568 80	Unclaimed dividends, 3,232 33
Cash on hand, 532	Contingent fund, \$ 40,000 00
In gold and silver, \$846,490 54	Profit and loss, 341,616 68
In notes of other Banks, 107,251 00	
	\$55,741 54
	\$4,559,700 68

ASSETS.	LIABILITIES.
Capital stock, \$1,405,000 00	Contingent fund and profit and loss, \$ 40,000 00
Reserve fund, 2,149,000 00	Deduct dividend of five per cent. on \$1,405,000, 70,253 00
Due to Banks, 104,227 33	Unclaimed dividends, 3,232 33
Due to individual depositors, 425,501 34	Profit and loss, 341,616 68
Unclaimed dividends, 3,232 33	
Contingent fund, \$ 40,000 00	
Profit and loss, 341,616 68	
	\$81,616 68
	\$4,559,700 68

Contingent fund and profit and loss, this day, \$331,362 68

FARMERS BANK OF KY., Frankfort, Jan. 7, 1856.

LAW BOOKS!

WE have just received from the publishers,

